

Board of Commissioners  
September 28, 2007 – 8:47 am

Meeting called to order by President Rininger. Commissioners Rininger, Logsdon, Gogel, and Board Attorney Lueken were present.

Claims

9-28-2007 Claims. Logsdon made a motion to approve. Gogel seconded.

9-14-2007 and 9-28-2007 Payroll. Gogel made a motion to approve. Logsdon seconded.

Minutes

9-4-2007 and 9-18-2007 minutes. Gogel made a motion to approve. Logsdon seconded.

Landscaping

Auditor Shelton explained that Masterson Landscaping and Robinson Landscaping are both working on proposals for the courthouse lawn.

Mileage Logs and County Owned Vehicles

Rininger stated he asked EMA Director Perdue, Highway Superintendent Painter and Engineer Lloyd to join the discussion on mileage logs, since their departments already keep track of mileage. Lloyd stated that mileage is kept track of in order to notify the garage when maintenance is due. Discussion was had by all in regard to the detail needed. Most felt mileage written down when vehicle is fueled is adequate. If a portable container is filled it is noted. Vehicle signage was also discussed. Logsdon stated that he and Gogel will write

Commissioners Meeting September 28, 2007 cont.

a basic policy and bring it back to the board on the 16<sup>th</sup>. Shelton will ask for examples from other counties on the Auditor's email chain.

#### Surveyor Vehicle

Rininger stated that the surveyor's vehicle has stopped working and has very high mileage. Currently the surveyor is using the EMA car. A Ford Explorer will be replaced within the next couple weeks in the sheriff's department and when the equipment and markings are removed it will be available for the surveyor. Rininger stated that stenciling should be done on the door marking it as a county vehicle. Painter asked if the old truck could be repaired and be used as a surplus vehicle for the highway department. Logsdon stated Painter may want to check with Heritage Hills High School vocational department to see if they could repair the truck.

#### Engineer Report

Orchard Road Project - Lloyd stated that she and David Lauer of URL met with the three landowners and gave them the offers for the rights-of-way. She has received one signed offer back. Logsdon asked how soon work will start. Lloyd stated that if the other offers do not come back soon the project will not start until March. Logsdon suggested contacting the other two landowners and ask if they have any questions.

CR 600 E Waterline – St. Henry Water asked for permission to cut CR 600 E, a chip and seal road, to install a waterline. They do not want to bore under the road because there is an AT&T fiber optic cable buried next to the road and they are concerned about cutting it. Painter stated they could still bore, but it would require more hand work. Painter further stated that if a chip and seal road is cut and patched there will be problems this winter. Logsdon stated that it is in the best interest of county tax payers that they bore under the road.

#### Highway Report

CR 2000 N Unofficial Detour – Painter stated that paperwork can not be found making CR 2000 N an official detour for SR 68. Calvin Evans of INDOT said that they are aware that CR 2000 was the unofficial detour and that if repairs are needed the highway department should keep track of the cost and they will reimburse the county.

Vectren Pole Replacement Project – Painter stated that he has received the \$74,943 check from Vectren for the road damage done during their pole replacement project.

Vectren Bond – Logsdon asked if Lloyd has sent the letter to Vectren reminding them that a bond is needed before work is done in the county rights-of-way. Lloyd stated she is working on it.

Oiled Gravel Roads – Logsdon asked what the procedure is when homeowners pay for a road to be oiled and then the county later repairs the road and puts down more gravel. Painter stated that homeowners are told when they oil a road that when the road becomes in need of repair the county will re-rock it.

#### Legal Report

Sex Offender Registration – Lueken explained a proposed ordinance requiring the Sheriff to charge annual sex or violent offender registration fees and address change fees. Lueken stated that most other counties charge the same fees. Chief Deputy McDurmon stated that the fees will help offset the cost of the required registry and its upkeep. Logsdon asked what would happen if the offender can not pay the fee. McDurmon stated the information would still be taken and updated, but he is not sure how it will be handled after that. Gogel asked how current offenders will be notified of the fee. McDurmon stated the department will do a news release. Lueken recommended the ordinance be signed as presented. Logsdon made a motion to sign ordinance 2007-14 Ordinance Requiring the Spencer County Sheriff to Charge Annual Sex or Violent Offender Registration Fees and Sex or Violent Offender Address Change Fees. Gogel seconded. All in favor.

Bates / Hammack Lawsuit – Lueken gave the commissioners a copy of the Stipulation of Partial Dismissal, releasing Spencer County from the lawsuit involving Gohmann Asphalt and Construction.

Burn Ban – The board discussed the amount of rain and the necessity of continuing the burn ban. Lueken and Shelton explained that the state has asked us to sign a new proclamation to continue the ban. Perdue presented the board with a Disaster Emergency Proclamation in a form recommended by the state. Gogel made a motion to sign the proclamation. Logsdon seconded. All in favor.

County Rights-of-way – Lueken and Painter discussed with the board the county rights-of-way. Painter stated that in Dubois County when a road is upgraded a right-of-way is signed giving the county a 60’ right-of-way. Currently in our county rights-of-way are not asked for when a road is upgraded. Discussion was had on whether a 60’ right-of-way is needed. Gogel felt it was excessive and a 40’ would be adequate. Gogel asked if the right-of-way would be subtracted from the tax base. Lueken stated yes. Lueken suggested speaking with commissioners from other counties about this issue at the upcoming AIC Conference. Lueken and Painter discussed the road on the county line between Dubois and Spencer and work to be done.

Insurable Value of Courthouse and Jail – Insurance Agent Chris Middleton addressed the issue of the insurable value of the courthouse and the jail. Currently both structures are under valued and they should be insured for at least 90% of the replaceable value. Carol Staab, who handles the counties risk management, wrote a letter stating that a certified appraisal is needed. Deputy Auditor Graham stated the quotes received were Universal Design at \$1,800; Bartlett and Associates at \$2,500 - \$3,000; and David Matthew Associates at \$2,000 to \$2,500. Councilman Winsett stated that it is very important to have the building insured for the correct value and \$1,800 is a small price to pay compared to what could happen. Winsett stated that an appraisal should be done every five years with an inflation guard. Logsdon made a motion to have Universal Design appraise the courthouse and the jail for reconstruction costs for \$1,800. Gogel seconded. All in favor.

Stoney’s Tavern in Richland – Lueken stated that Inspector Bender has looked at Stoney’s Tavern in Richland and will have a report for the commissioners’ next meeting.

Wellness Programs

Logsdon gave the commissioners copies of articles about wellness programs encouraging weight loss.

Logsdon made a motion to recess. Gogel seconded. All in favor. The meeting was recessed at 10:30 am.

Commissioner Meeting

Executive Session – September 28, 2007 – 10:30 am

In accordance with IC 5-14-1.5- 6.1(b)(2)(B) an Executive Session was held to discuss pending litigation. Present were Commissioners Rininger, Logsdon, Gogel, and Attorney Lueken. No other issues were discussed. Logsdon made a motion to adjourn. Gogel seconded. All in favor. Meeting adjourned at 11:03 am.

Board of Commissioners,

_____ President	_____
Attest:	
_____ Cindy Shelton, Auditor	_____

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The meeting was reconvened at 11:03 am.

Pending Litigation Additional

Gogel made a motion to request an additional of \$20,000 from Riverboat for legal expenses for the litigation against the 231 Adult Plaza.

Logsdon made a motion to adjourn. Gogel seconded. All in favor. The meeting was adjourned at 11:06 am.

Board of Commissioners,

_____ President	_____
Attest:	
_____ Cindy Shelton, Auditor	_____

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